

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

DB STRUCTURED PRODUCTS, INC.

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

TRANSNATIONAL FINANCIAL NETWORK, INC.

**07 CV 4125**

TO: (Name and address of defendant)

TRANSNATIONAL FINANCIAL NETWORK, INC.  
401 Taraval Street  
San Francisco, California 94116

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

THACHER PROFFITT & WOOD LLP  
Richard F. Hans (RH-0110)  
John P. Doherty (JD-3275)

Two World Financial Center  
New York, New York 10281  
(212) 912-7400

an answer to the complaint which is herewith served upon you, within TWENTY days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

MAY 25 2007

CLERK

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

<b>RETURN OF SERVICE</b>		
Service of the Summons and Complaint was made by me <sup>1</sup>		DATE
NAME OF SERVER ( <i>PRINT</i> )		TITLE
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other ( <i>specify</i> ): _____ _____ _____		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____  <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 0;"> <div style="text-align: center;">Date</div> <div>Signature of Server _____</div> </div> <div style="text-align: center; margin-top: 20px;">Address of Server _____</div> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



COURT

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

COUNTY OF

DB STRUCTURED PRODUCTS, INC.

Plaintiff(s)

against

TRANSNATIONAL FINANCIAL NETWORK, INC.

Defendant(s)

Index No. 07 CV 4125

**AFFIDAVIT OF  
SERVICE OF SUMMONS  
(AND COMPLAINT)**

SEE ATTACHED RIDER

CALIFORNIA  
STATE OF NEW YORK COUNTY OF SAN FRANCISCO SS: The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides ~~in~~ IN THE STATE OF CALIFORNIA  
That on 6/4/07 at 3:00P. M., at 401 TARAVAL STREET, SAN FRANCISCO, CA 94116  
deponent served the within summons, and complaint on TRANSNATIONAL FINANCIAL NETWORK, INC. defendant therein named,  
SEE ATTACHED RIDER

INDIVIDUAL

1. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION

2. ☒

a DOMESTIC corporation, by delivering thereat a true copy of each to ELENA LOGUTOVA personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be MANAGING AGENT thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO  
RESIDENCE  
USE WITH 3 OR 4

5A. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited

MAILING TO  
BUSINESS  
USE WITH 3 OR 4

5B. ☐

said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION  
USE WITH  
1, 2, OR 3

☒

<input type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input checked="" type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input checked="" type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN  
NYC CIVIL CT.

☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY  
SERVICE

☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on  
SEE ATTACHED JURAT

PRINT NAME BENEATH SIGNATURE  
JOEL KINCAIDE

SAN MATEO  
License No. COUNTY # 376

## JURAT

State of California  
County of San Francisco

Subscribed and sworn to (or affirmed) before me on

this 6th day of JUNE, 2007,

by JOEL KINCAIDE

personally known to me or proved to me on the basis of satisfactory evidence  
to be the person(s) who appeared before me.



Signature

A handwritten signature in black ink, appearing to read "Karen O'Brien", written over a horizontal line.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X Case No. 07 CV 4125  
DB STRUCTURED PRODUCTS, INC.,

Plaintiff,

- against -

RIDER TO AFFIDAVIT  
OF SERVICE

TRANSNATIONAL FINANCIAL NETWORK,  
INC.,

Defendant.

-----X

List of Documents served:

1. Summons In A Civil Case;
2. Complaint;
3. Explanation Of Relatedness;
4. Disclosure Statement Pursuant To Federal Rule Of Civil Procedure 7.1;
5. Civil Cover Sheet;
6. Individual Practices of Judge Denise L. Cote;
7. Individual Rules Of Practices Of Magistrate Judge Kevin Nathaniel Fox;
8. Procedures For Electronic Case Filing;
9. Guidelines For Electronic Case Filing; and
10. 3<sup>rd</sup> Amended Instructions For Filing An Electronic Case Or Appeal.